

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

UNITED STATES OF AMERICA, §
§
Plaintiff, §
§
v. § Civil Action No. 7:08-cv-189
§
0.51 ACRES OF LAND, more or less, §
situated in HIDALGO COUNTY, TEXAS; §
and VERONICA MENDOZA, et al., §
§
Defendants. §

UNITED STATES' ADVISORY TO THE COURT

The United States has made a decision to not move forward this year (2008) on the construction of three proposed border fence segments in Starr County, Texas (Rio Grande City and Roma) and Hidalgo County, Texas (Los Ebanos). This decision encompasses the land made the basis of this case.

The fact that the United States is not moving forward this year on these three segments does not mean there will never be a fence built at these locations. Customs and Border Protection continues to pursue ways to meet what the Border Patrol has determined to be an operational need for fencing in these locations. Because the Border Patrol has identified a need for tactical infrastructure, the United States will continue the land acquisition process for these proposed segments.

Respectfully submitted,

DONALD J. DeGABRIELLE, JR.
United States Attorney

By: /s/ Kevin C. Aiman

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CERTIFICATE OF SERVICE

This certifies that on November 6, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and sent a copy via DC ECF to the following counsel: Corinna Rai Spencer Scheurich , and caused a copy to be sent by e-mail/regular mail to:

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